

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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TRUSTEES OF THE TEAMSTERS LOCAL
631 FUND FOR SOUTHERN NEVADA, et
al.,

Plaintiffs,

v.

FRANCES LASLEY, et al.,

Defendants.

Case No. 2:11-cv-01764-LDG-PAL

ORDER

(Mot Withdraw Atty – ECF No. 148)

Before the court is counsel for Defendant Display Technologies LLC's Amended Motion to Withdraw as Attorney of Record (ECF No. 148). The supporting affidavit of counsel states the client has not honored its payment obligations for professional services provided. Furthermore, Display Technologies, through its Manager, Frank C. Lasley, has advised counsel that it no longer desires its counsel of record to perform any more services. Counsel therefore seeks leave to withdraw as counsel of record.

A review of the docket shows that discovery is closed in this matter. Trial has been scheduled for November 14, 2016, with calendar call on November 8, 2016. Furthermore, a settlement conference has been set before the undersigned on August 26, 2016. A corporation cannot appear except through counsel. *See Rowland v. California Men's Colony*, 506 U.S. 194, 201-02 (1993); *United States v. High Broadcasting Co., Inc.*, 3 F.3d 1244, 1245 (9th Cir. 1993). As such, Display Technologies LLC will be required to obtain new counsel. The Ninth Circuit has held that default judgment is an appropriate sanction for a corporation's failure to retain counsel for the duration of the litigation. *United States v. High Country Broadcasting*, 3 F.3d 1244, 1245 (9th Cir. 1993).

1 Having reviewed and considered the matter,

2 **IT IS ORDERED** that:

- 3 1. The Amended Motion to Withdraw as Attorney of Record (ECF No. 148) is
4 **GRANTED.**
- 5 2. Defendant Display Technologies LLC shall have until **August 12, 2016**, to retain
6 substitute counsel who shall make an appearance in accordance with the requirements
7 of the Local Rules of Practice.
- 8 3. Defendant Display Technologies LLC's failure to timely comply with this order by
9 obtaining substitute counsel may result in a default judgment against it.
- 10 4. The clerk of the court shall serve Defendant with a copy of this order at its last known
11 address:

12 Display Technologies, LLC
13 Attn: Frank C. Lasley, Manager
14 7510 American Way
Groveland FL 34736

15 DATED this 13th day of July, 2016.

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18 PEGGY A. LEEN
19 UNITED STATES MAGISTRATE JUDGE
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